

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Kevin Gervais Butler,)	C/A No.: 1:19-3477-JMC-SVH
)	
Plaintiff,)	
)	
vs.)	
)	
Federal Express Corporation,)	ORDER
)	
Defendant.)	
)	

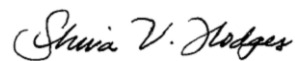
Plaintiff, proceeding pro se and in forma pauperis, brought this action alleging damages related to Defendant's alleged failure to deliver a door Plaintiff purchased. On August 20, 2020, Defendant filed a motion for summary judgment. [ECF No. 27]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by September 21, 2020. [ECF No. 28]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to Defendant's motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this case. Based on the foregoing, Plaintiff is directed to advise the

court whether he wishes to continue with this case and to file a response to the motion by October 9, 2020. Plaintiff is further advised that if he fails to respond, the undersigned will recommend this case be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

September 25, 2020
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge